

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:12-00034

JONATHAN LEE CAVENDER

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On August 29, 2014, the United States of America appeared by Monica L. Coleman, Assistant United States Attorney, and the defendant, Jonathan Lee Cavender, appeared in person and by his counsel, Thomas J. Gillooly, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Justin L. Gibson. The defendant commenced a 24-month less one day term of supervised release in this action on March 17, 2014, as more fully set forth in the Supervised Release Revocation and Judgment order entered by the court on October 10, 2013.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to abide by the special condition that he spend six months in a community confinement center inasmuch as he entered Dismas Charities on March 17, 2014, and was terminated on May 25, 2014, for failure to abide by the rules and regulations of the facility; (2) the defendant failed to report for random urinalysis on June 26 and July 1 and 7, 2014; (3) the defendant failed to report for individual substance abuse counseling on June 26, 2014; and (4) the defendant used and possessed marijuana, opiates and synthetic marijuana as evidenced by his admission to the probation officer on July 30, 2014; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously

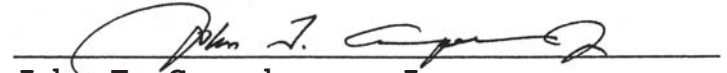
imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHT (8) MONTHS. The defendant shall make monthly payments toward the \$75 restitution balance at the rate of \$10 per month commencing on October 1, 2014, with payment due on the first day of each month thereafter until paid in full.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: September 5, 2014



John T. Copenhaver, Jr.
United States District Judge